

09/16/99

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	8535-026-999	Total Pages	376
First Named Inventor or Application Identifier			Michael Nehls
Express Mail Label No.			EL 452 480 100 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>Submit an original, and a duplicate for fee processing</i>	6. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i>	7. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
-Descriptive title of the Invention	a. <input type="checkbox"/> Computer Readable Copy
-Cross Reference to Related Applications	b. <input checked="" type="checkbox"/> Paper Copy (287 pages)
-Statement Regarding Fed sponsored R&D	c. <input type="checkbox"/> Statement verifying identity of above copies
-Reference to Microfiche Appendix	
-Background of the Invention	
-Brief Summary of the Invention	
-Brief Description of the Drawings <i>(if filed)</i>	
-Detailed Description of the Invention (including drawings, <i>if filed</i>)	
-Claim(s)	
-Abstract of the Disclosure	
3. <input checked="" type="checkbox"/> Drawing(s) <i>(35 USC 113)</i>	[1 page]
4. <input checked="" type="checkbox"/> Oath or Declaration (unexecuted)	[2 pages]
a. <input type="checkbox"/> Newly executed (original or copy)	8. <input type="checkbox"/> Assignment Papers
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <i>(Note Box 5 below)</i>	9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> (unexecuted)
i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).	10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>
5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior Provisional Application No: 60/095,989	12. <input type="checkbox"/> Preliminary Amendment
	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
	14. <input checked="" type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Statement(s) Status still proper and desired
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
	16. <input type="checkbox"/> Other:

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers
9. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee) (unexecuted)
10. English Translation Document *(if applicable)*
11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. Small Entity Statement filed in prior application, Statement(s) Status still proper and desired
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: Continuation Divisional Continuation-in-part (CIP) of prior Provisional Application No: 60/095,989**18. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

20583

*(Insert Customer No. or Attach bar code label here)*or Correspondence address below

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PENNIE & EDMONDS LLP
COUNSELLORS AT LAW
1155 Avenue of the Americas
New York, N.Y. 10036-2711
(212) 790-9090

ATTORNEY DOCKET NO. 8535-026-999Date: September 17, 1999

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Nehls *et al.*

Executed on: Unexecuted

Title of Invention: **NOVEL HUMAN POLYNUCLEOTIDES AND POLYPEPTIDES ENCODED THEREBY****PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	9	-20	0	\$18.00 each	\$ 0.00
Independent	4	-3	1	\$78.00 each	\$ 78.00
				Minimum Fee	\$ 760.00
				Multiple Dependency Fee If Applicable (\$260.00)	\$ 0.00
				Total	\$ 838.00
				50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)	- \$ 419.00
				Total Filing Fee	\$ 419.00

Priority of application no. 60/100,917 filed on September 17, 1998 is claimed under 35 U.S.C. § 119.

A copy of this sheet is enclosed.

Respectfully submitted,

Laura Coruzzi
Laura A. Coruzzi
PENNIE & EDMONDS LLP

30,742

(Reg. No.)

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) -- SMALL BUSINESS CONCERN**Docket Number (Optional)
8535-026-999Applicant, Patentee, or Identifier: Michael Nehls et al.Application or Patent No.: to be assignedFiled or Issued: concurrently herewithTitle: Novel Human Polynucleotides & Polypeptides Encoded Thereby

I hereby state that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Lexicon Genetics IncorporatedADDRESS OF SMALL BUSINESS CONCERN 4000 Research Forest Dr., The Woodlands, TX 77381

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person concern, or organization having any rights in the invention is listed below:
 No such persons, concerns, or organizations exist.
 each such person, concerns, or organization is listed below:

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Arthur T. SandsTITLE OF PERSON IF OTHER THAN OWNER President & CEOADDRESS OF PERSON SIGNING 4000 Research Forest Drive, The Woodlands, TX 77381SIGNATURE Arthur T. SandsDATE September 14, 1999